THE HON'BLE SMT.JUSTICE T.MEENA KUMARI

AND

THE HON'BLE SRI JUSTICE K.C.BHANU

WRIT PETITION No. 21194 OF 2005

Dt: 17.10.2005

Between:

Aavula Prabhakar Reddy … PETITIONER

AND

The Station House Officer, Charminar Police

Station, Hyderabad and others … RESPONDENTS

THE HON'BLE SMT.JUSTICE T.MEENA KUMARI

AND

THE HON'BLE SRI JUSTICE K.C.BHANU

WRIT PETITION No. 21194 OF 2005

ORDER: (per the Hon'ble Smt.Justice T.Meena Kumari)

This is a taken up Writ Petition basing on the Telegram dated 23.09.2005 sent by

the petitioner complaining that the respondents are harassing his client and his family members for knowing the whereabouts of the eldest son of his client by name Asif Mohammed who is living separately and that they have illegally detained the family members of his client since last two days which is causing mental agony and that they are also threatening with dire consequences and to foist false cases against the family members of his client.

Learned Government Pleader for Home took notice and filed counter-affidavit of Inspector of Police, Charminar Police Station, Hyderabad.

It is stated in the counter-affidavit that on 20.09.2005 at 0040 hours the Station House Officer, Charminar Police Station received a complaint from one Mr. Hariram Soni stating that on 19.9.2005 at about 3.30 p.m. his daughter-in-law viz., Smt. Roshini aged about 25 years along with her one year daughter left their house to go to her mother's house but did not reach her mother's house and they searched at their relative houses but could not trace them. Basing on the said complaint, a case in Cr.No.201 of 2005 was registered and investigation was taken up. During the course of investigation, it was found that the said lady was having extra marital relationship with one Mr. Asif of the same locality. The husband of the said lady by name Sunil Kumar Soni, owns a mobile phone bearing No. 98438407482 and as per the information given by the husband, the said phone was mostly used by his wife. A statement of the said mobile phone was obtained and it was found that the missing woman called 31 times to one phone bearing number 24522159 and 11 times to another phone bearing number 9346494719 and both the phones belong to one person by name Asif. During the enquiries, it came to light that Asif, S/o. Shafi Mohammed was also missing from 20.09.2005. The father of the said Asif has given a written complaint on 27.09.2005 stating that his son Asif Mohammed was missing from Ghansi Bazaar since 20.09.2005 at about 1100 hours. Basing on the said complaint, a case in Cr.No.206 of 2005 was registered on 27.09.2005 and investigation was taken up. It is also stated that they never harassed the petitioner's client or his family members in order to get the information pertaining to Mr.Asif Mohammed.

In view of the particular circumstances of the case, we direct the respondents not to interfere with the life and liberty of the petitioner's client by name Shafi Mohammed and his family members without following due process of law.

With the above direction, the Writ Petition is closed.

(T.MEENA KUMARI, J)

(K.C.BHANU, J)

Dt: 17.10.2005

bsv/lvl

-

-

-

-

-

-

-

-